



WISCONSIN

DEPARTMENT OF WORKFORCE DEVELOPMENT

Division of Workforce Solutions
Bureau of Workforce Programs

**TO: Economic Support Supervisors
Economic Support Lead Workers
Training Staff
Child Care Coordinators
W-2 Agencies**

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BWP OPERATIONS MEMO

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Non W-2 [] W-2 [X] CC []

PRIORITY: High

SUBJECT: SSI ADVOCACY

CROSS REFERENCE:

- 2002-2003 Wisconsin Works and Related Programs Contract, Appendix E
- *W-2 Manual*, Case Management Resource Guide, Appendix V
- Operations Memo 00-41

EFFECTIVE DATE: January 1, 2002

PURPOSE

This memo defines the Supplemental Security Income (SSI) advocacy service requirements necessary to achieve the **optional** performance standard outlined in Appendix E of the 2002-2003 Wisconsin Works (W-2) and Related Programs contract. To meet the performance standard, an agency is required to have a valid contract or memorandum of understanding between the W-2 agency and an SSI advocacy agency/provider or have a trained SSI advocate on staff.

BACKGROUND

Most W-2 participants apply for SSI due to a long-term disability that prevents him/her from working. The SSI application and appeal process can be long, require a variety of forms, timelines, and documentation from many sources; that process can be difficult for applicants to follow through and complete. The process takes time because the Disability Determination Bureau (DDB) collects the individual's medical and prior work information and applies the Social Security Administration's criteria to determine whether the impairment meets the degree of severity permitting an SSI payment.

W-2 agencies may advocate for W-2 participants with disabilities or limitations that prevent them from succeeding in unsubsidized employment. This includes both the Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI).

For those agencies that choose not to pursue the optional SSI advocacy performance standard, it remains the responsibility of the agency to assist W-2 participants with the SSI application process. This may be accomplished through direct assistance from the FEP or through a referral to a SSI advocate.

SSI ADVOCATE

An SSI advocate provides services that facilitate the approval of an SSI application, reconsideration or hearing. The SSI advocate is responsible for an effective pursuit of all SSI related activities. S/he must have appropriate background and sufficient knowledge of SSI to successfully assist participants in this process. The roles and responsibilities are the same whether an agency provides in-house advocacy services or contracts with an outside resource. A W-2 participant can be referred to an advocate at any point in the process (application, reconsideration or appeal). It's essential for an agency to refer a participant to an advocate at the earliest point he or she is aware SSI services might be an option.

To meet the performance standard, a W-2 agency requires an advocacy provider to be involved during the initial application process or as soon as the agency becomes aware the W-2 participants involved in the application process. For an agency to achieve the optional SSI advocacy performance standard, agencies are required to meet the training and service guidelines below.

KNOWLEDGE AND BACKGROUND

A qualified SSI advocate is required to have the following knowledge and background:

1. Experience working with the W-2 population or in an advocacy role;
2. General knowledge of W-2 policy and procedures;
3. Knowledge SSA processes.
4. The SSI Advocate has one or more of the following:
 - a. Advocacy experience in the SSI process.
 - b. SSI Advocacy training.

It is beneficial for an advocate to have legal or medical background or experience in the field of disabilities but it is not required.

An agency can contact the local Social Security Administration (SSA) office to receive SSI training. SSA's training provides a comprehensive overview of the SSI programs and processes and is normally free to agencies. Some local legal action organizations and private legal organizations provide SSI advocacy training. That training can be fairly inexpensive or cost a substantial amount, depending on the provider.

SERVICES PROVIDED BY AN SSI ADVOCATE

Services outlined below may be provided during all phases of the SSI process or may be provided at a specific phase of the process. To meet the performance standard a contract or memo of understanding (MOU) must require an advocacy agency/provider to be involved during the initial application process or as soon as the W-2 agency is aware the SSI application has been filed.

OVERALL SERVICES

1. Review medical documentation.
2. Coordinate with the FEP or an appropriate service provider to schedule additional evaluations that may support the disability claim.
3. Communicate information to and facilitate contacts among involved parties.
4. Attend meetings, hearings, and appointments with the participant when it's helpful and appropriate.
5. Present the facts in a participant's case that favor a decision of disability.
6. Assist in supplying initial and subsequent documents including non-medical documentation.
7. Assure all pertinent documentation is available to the DDB.
8. Maintain regular contact throughout the process with SSA, DDB and the W-2 participant.
9. Assist the participant in complying with the SSI claim requirements.
10. Act as a liaison among SSA, DDB and medical professionals.
11. Coordinate with the W-2 agency and the FEP to establish a referral process and an ongoing communication network, to include SSI related activities on the Employability Plan and to provide supportive services such as transportation and childcare for SSI related activities.

SERVICES OFFERED AT INITIAL APPLICATION

1. Assist participant to complete required forms.
2. Explain the participant's responsibilities in reporting required information.
3. Discuss time frames on application.

SERVICES OFFERED AT THE REQUEST FOR RECONSIDERATION

1. Assist participant in filing reconsideration request within 60 days of receipt of the initial application denial notice.
2. Determine need for additional supporting documents based on initial denial reason(s) and assist in the collection of the additional documentation.

SERVICES OFFERED AT A HEARING WITH SSA OFFICE OF HEARING AND APPEALS

1. Assist participant in filing hearing request within 60 days of receipt of the reconsideration denial notice.
2. Organize appearance of witnesses who can support the disability claim.
3. Represent participant at hearing or coordinate representation with legal advocacy groups.

In addition to meeting the performance standard, as part of the case management role a FEP or contracted SSI advocacy agency/provider may assist W-2 participants during the SSI application and appeal process. SSI application and appeal activities (interviews with SSA representatives, doctor's appointments, etc.) may be assigned to W-2 participants as employment activities. With permission from the W-2 participant, the FEP also can choose to communicate with SSA by

becoming an Authorized Representative, providing supportive assessment or medical documentation to the SSA or by testifying at an appeal hearing on behalf of the participant. Operations Memo 00-41 outlines the role of the Authorized Representative and the use of the Medical Capacity Form in the SSI eligibility process.

CONTACT

DES CARES Information and Problem Resolution Center

Email: carpolcc@dwd.state.wi.us
Phone: 608-261-6317 (Option #1)
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Note: Email contacts are preferred. Thank you.